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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,693	06/27/2001	Rui Zhao	7347-000002	3991

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EXAMINER

KHATRI, ANIL

ART UNIT PAPER NUMBER

2124

DATE MAILED: 06/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/892,693

Applicant(s)

ZHAO, RUI

Examiner

Anil Khatri

Art Unit

2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by *Whitehill et al* USPN 6,708,329.

Regarding claims 1, 2, 16, 23 and 24

*Whitehill et al teaches;*

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- a description file for describing a host protocol specification defining an environment in which the application is operated, the description file containing a project object corresponding to the host protocol specification (figure 5, column 7, lines 8-23, "the EMA files... those elements");

- the project object describing a message structure that is compatible with the host protocol specification (column 7, lines 60-67, "this mapping... system platform"); and

- a host simulator coupled to the description file, being adaptable in response to accessing the project object, for communicating a message with the application, the host simulator describing the message by a dual representation technique in which a first representation of the message provides a flattened version of the message, and a second representation of the message provides a hierarchical version of the message (figures 5, 6, column 7, lines 25-52, "the process file..ICI information", column 8, lines 29-34, "the data file... message queue").

Regarding claims 3 and 17

*Whitehill et al teaches;*

- the at least one communication protocol is selected from the group of TCP/IP, named pipes and X.25. (column 5, lines 5-12, "communicating via... desired target system"),

Regarding claim 4

*Whitehill et al teaches;*

- hierarchical markup language is used in the description file for message definition and description (column 9, lines 57-67, "files created .... Process is...").

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Regarding claims 5 and 15

*Whitehill et al teaches;*

- the hierarchical markup language is XML (column 5, lines 10-14, these modules... target system”).

Regarding claims 6, 7, 8 and 18

*Whitehill et al teaches;*

the first representation of the message is used for data evaluation, and wherein the second representation of the message is used for display (column 6, lines 57-67, “the translation system... each packet formatted...”, column 7, lines 15-24, “the EMA file... those element”, column 8, lines 45-66, “each process file name.... Corresponding template”).

Regarding claims 9-14 and 19-21

*Whitehill et al teaches;*

- the message field characteristics are selected from the group of name, size, position, and default value (column 8, lines 1-14, “a particular packet... described above”, lines 15-34, “the environment file... message queue”).

Regarding claim 22

*Whitehill et al teaches;*

- the predetermined input is selected from the group of a predetermined message and a user request (column 8, lines 18-34. “the environment data is utilized... element message queue”).

### ***Conclusion***

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- USPN 5761486
- USPN 6530065
- USPN 6279060

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anil Khatri whose telephone number is 703-305-0282. The examiner can normally be reached on M-F 8:30-5:00 PM.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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**ANIL KHATRI**  
**PRIMARY EXAMINER**